

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James E. Dahlberg, *et al.* Confirmation No.: 1902
Serial No.: 10/740,256 Group No.: 1637
Filed: 12/18/2003 Examiner: Christopher M. Babic
Entitled: **Detection of Small Nucleic Acids**

**AMENDMENT & RESPONSE TO
OFFICE ACTION MAILED SEPTEMBER 3, 2008**

VIA EFS WEB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EFS WEB TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted to the United States Patent and Trademark Office transmitted via the Office electronic filing system in accordance with 37 C.F.R. §1.6(a)(4).

Dated: March 3, 2009 By: /Mary Ann D. Brow/
Mary Ann D. Brow, Reg. No. 42,363

Sir:

This communication is responsive to the Office Action mailed September 3, 2008, with response due on or before December 3, 2008. Three months extension of time is requested. Applicants respectfully request reconsideration in view of the following amendments and remarks.

The Commissioner is authorized by this paper to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No. FORS-08497. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

In accordance with the procedure for Amendment Practice under 37 C.F.R. §1.121, please amend the above-identified application as follows:

Amendments to the Claims are reflected in a Listing of Claims that begins on page 3 of this communication.

Remarks are on page 11 of this communication.